



1/26/06

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hirotaka OHASHI et al.

Group Art Unit: 2176

Application No.: 10/652,496

Examiner: C. NGUYEN

Filed: September 2, 2003

Docket No.: 116706

For: LAYOUT SYSTEM, LAYOUT PROGRAM, AND LAYOUT METHOD

REQUEST FOR RECONSIDERATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Claims 1-21 are pending. In reply to the February 8, 2006 Office Action, Applicants respectfully request reconsideration of the pending claims at least in light of the following remarks.

Initially, the Office Action indicates that CN 1339752 was not considered since it is in the Chinese language and thus does not comply with 37 C.F.R. §§ 1.97 and 1.98 and MPEP §609. However, MPEP §609.04(a)(III) explicitly states that a corresponding English language equivalent application provided with a foreign language reference satisfies the requirements of 37 C.F.R. §§ 1.97 and 1.98 and MPEP §609 with respect to that foreign language reference. Because corresponding English language EP 1 176 520 A2 was submitted concurrently with CN 1339752, the Examiner must consider it. Applicants respectfully request prompt consideration of CN 1339752 on these grounds. Applicants request that an additional copy of the December 2, 2005 PTO-1449 be submitted with the next Patent Office communication indicating that CN 1339752 has been considered.

The Office Action rejects claim 21 under 35 U.S.C. §101 as directed to non-statutory subject matter. Applicants respectfully traverse the rejection.